

1 **DOUGLAS L. RAPPAPORT (SBN 136194)**

2 Law Offices of Douglas L. Rappaport

3 260 California Street, Suite 1002

4 San Francisco, CA 94111

5 (415) 989-7900

6 Attorneys for Defendant

7 **TRISTAN HARVEY**

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,

Case No. CR19-0241

12 Plaintiff,

13 v.

**STIPULATION AND [PROPOSED] ORDER  
APPROVING REQUEST FOR  
CONTINUANCE**

14 TRISTAN HARVEY,

15 Defendant.

16 The parties, through their counsel of record, stipulate as follows:

17 1. The parties in this case were scheduled to appear on September 11, 2019 for a status  
18 conference in United States Northern District Court.

19 2. That on August 29, 2019 the government provided additional discovery to the defense.

20 3. That defense counsel had not had the opportunity to review the additional discovery or  
21 discuss it with his client given that counsel for the defense has been preparing for trial in another  
22 matter which is scheduled to begin on September 10, 2019.

23 4. Thus, in order to allow for the effective preparation of counsel for the defendant, and  
24 because counsel for the defendant will be in trial on September 11, 2019, the parties agree that a  
25 continuance should be granted and time excluded under the Speedy Trial Act as set forth in the  
26 Proposed Order attached hereto.

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1           5. The Parties are requesting that the matter be set for a status conference for October 16,  
2 2019.

3  
4 IT IS SO STIPULATED.

5  
6 Dated: September 9, 2019

Dated: September 9, 2019

7  
8           /s/  
9 **DOUGLAS L. RAPPAPORT**  
Attorney for Defendant  
**TRISTAN HARVEY**

          /s/  
**ROSS WEINGARTEN,**  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Case No. CR19-0241

Plaintiff,

v.

[ PROPOSED ] ORDER APPROVING  
REQUEST FOR CONTINUANCE

TRISTAN HARVEY,

Defendant.

For the reasons stated above, the Court hereby orders that the status hearing date of September 11, 2019 is continued to October 16, 2019 at 2:30 p.m. The Court also finds that an exclusion of time between September 11, 2019 through October 16, 2019 is warranted; that exclusion of this period from the time limits applicable under 18 U.S.C. § 3161 is warranted; that the ends of justice served by the exclusion under Section 3161 outweigh the interests of the public and the defendant in the prompt disposition of this criminal case, and that failure to grant the requested exclusion of time would deny counsel for the defendant the reasonable time necessary for the effective preparation and continuity of counsel, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

SO ORDERED.

Dated: September \_\_\_\_, 2019

**HONORABLE JUDGE EDWARD M. CHEN**  
United States District Judge